Godbole, et al. U.S. Application No. 09/756,247

From-NUVELO, Inc.

#### <u>REMARKS</u>

Claims 10-12 and 25 are under consideration and pending in the application.

# The Outstanding Rejections

The Examiner objected to the amendment filed 3/22/2004 under 35 U.S.C. §132 because it allegedly introduced new matter into the disclosure.

The Examiner rejected claims 10-12 and 25 under 35 U.S.C. §112, second paragraph as allegedly being indefinite.

## Amendments to the Specification

In order to comply with 35 U.S.C. §132, Applicants have removed the reference to Berman et al. on pages 12, 13, 134, and 135.

#### Patentability Arguments

### 35 U.S.C. §112, second paragraph Rejection

Claim 10 has been amended remove the language directed to the extracellular portion thereof of SEQ ID NO: 4 as it describes the same region of the mature portion thereof of SEQ ID NO: 4. Applicants have also canceled claim 25 as it was directed only to SEQ ID NO: 4 and not to any other components. Therefore, in light of the aforementioned amendments, Applicants respectfully request that the 35 U.S.C. §112, second paragraph rejection be withdrawn.

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#### **CONCLUSION**

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance, and a Notice of Allowance is respectfully requested as soon as possible. If there are any questions regarding these amendments and remarks, or if further discussion would expedite allowance of the claims, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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